

ASSURANCES

Assurances	Citations	Title IV-B Subpart 1	Title IV-B Subpart 2	CAPTA	IL
The State will participate in any evaluations the Secretary of HHS may require.	45 CFR 1357.15(c)(1)	X	X		
The State will administer the CFSP in accordance with the methods determined by the Secretary to be proper and efficient.	45 CFR 1357.15(c)(2); Section 477(c) of the SSA	X	X	X	X
The State has a plan for the training and use of paid paraprofessional staff, with particular emphasis on the full-time or part-time employment of low-income persons, as community service aides; and a plan for the use of non-paid or partially paid volunteers in providing services and in assisting any advisory committees established by the State.	45 CFR 1357.15(c)(3)	X	X		
The State assures that standards and requirements imposed with respect to child care under title XX shall apply with respect to day care services, if provided under CFSP, except insofar as eligibility is involved.	45 CFR 1357.15(c)(4)	X	X		
OCS , DSS administers title IV-B, subpart 2 and is the same office that administers title IV-B , subpart 1.	Sections 422(b)(I), 477(b) of the SSA; 45 CFR 1357.15 (e)	X	X		
The State will conduct annual review of progress toward accomplishing goals and objectives, and if necessary will revise goals and objectives in its yearly report and update.	45 CFR 1357.16 (a)	X	X		
The State will conduct a final review of progress toward accomplishing goals, in consultation with appropriate entities, that will result in the preparation of a final report which will be submitted to ACF and made available to the public, and will include a statement of goals intended to be accomplished by the end of the five-year plan cycle.	45 CFR 1357.32 (b)(d)(e)	X	X		

Not more than 10 percent of the expenditures under the plan shall be for administrative costs, and that the remaining expenditures shall be for the program of family preservation services, community-based family support services, time-limited family reunification services and adoption promotion and support services.	Sections 422 (b)(12) & 432(a)(4) of the SSA	X	X		
The State will expend significant portions of its allocation for both family preservation, community-based family support services, time-limited family reunification services and adoption promotion support services which are specified in the Plan, unless the State has made a case acceptable to ACF for not doing so	Sections 422(b)(12) & 432 (a)(4)(9) of the SSA		X		
The State will make available to the Secretary and the public the description of the family preservation, community-based family support services, time-limited family reunification services and adoption promotion and support services which will be provided under the plan in the subsequent fiscal year; the population the program will serve; and the geographic areas in the State in which the services will be available.	45 CFR 1357.16 (c)		X		
The State will make the description of services available to the public, in the case of the first fiscal year under the plan, at the time the State submits the initial Plan, and for succeeding fiscal years by the end of the third quarter of the immediately preceding year.	45 CFR 1567.16(c)		X		
Federal funds provided to the State will not be used to supplant Federal or non-Federal funds for existing services and activities which promote the purposes of the title IV-B and title IV-E programs.	45 CFR 1357.30 (g); 45 CFR 1357.32 (f); Section 477(e)(3) of the SSA	X	X		X
The State will furnish reports to the Secretary in a format containing information the Secretary may require, for the purpose of demonstrating State compliance with the supplantation provision.	45 CFR 1357.30 (g); 45 CFR 1357.32 (f); Section 477(e)(3) of the SSA.	X	X		X
The State will not use other Federal funds to meet the 25 percent match.	45 CFR 1357.30 (e); 45 CFR 1357.32 (d)	X	X		

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The State will not expend title IV-B or title IV-E funds for any fiscal year after the end of the immediately succeeding fiscal year.	45 CFR 1357.30 (I); 45 CFR 1357.32 (g); section 477(f)(3) of the SSA	X	X		X
Payments to the State shall only be used for the specific purpose described in Section 477, title IV-E.	Section 477 (f) (1) of the Social Security Act				X
Payments made and services provided to the participants in the Independent Living Program under this section shall not be considered as income or resources for the purposes of determining eligibility (or the eligibility of any other persons) for aid under the State's plan approved under title IV-A or IV-E, for purposes of determining the level of such aid.	Section 477(h) of the Social Security Act				X
The State shall provide each participant with a written transitional independent living plan which shall be based on an assessment of his case plan as described in section 475(1).	Section 477 (d)(6) of the Social Security Act				X
The State shall provide for youth age 16 and over, where appropriate , a case plan including a written description of the programs and services which will help the youth prepare for transition from foster care to independent living.	Section 475 (5) of the Social Security Act				X
The State agency administering the State's program under Part E shall be responsible for administering or supervising the administration of the State's program of Independent Living Initiatives. Payments to the State shall be used for the purpose of conducting and providing (directly or under contracts with local government entities or private non-profit organizations) the activities and services required to carry out the programs involved.	Section 477(b) of the Social Security Act				X
The State will use the grant money in accordance with the requirements applicable to other Departmental grants to State and local agencies, including the regulations at 45CFR Parts 92 and 74 and OMB Circulars A-87, A-102 and A-122.	45 CFR Parts 92 and 74, and OMB Circulars A-87, A- 102, and A-122	X	X	X	X
The State assures that none of the grant money will be used for the provision of room and board.	Section 477 (e) (3) of the SSA				X

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The Agency assures the availability of the CFS Plan and annual progress report for public review by providing the document to the Recorder of Documents as required by LA R.S. 25:123. State documents maintained by the Recorder of Documents at the Louisiana State Library are accessible for use and review in the depositories established in accordance with LA R.S. 25:123.	45 CFR 1355.21(c)	X	X	X	X
The agency assures its compliance with federal regulations and guidance in submitting required reports, updated information and evaluations that the Secretary may require.	Section 422(b)(8) of the SSA; 45 CFR 1357.15(B)(1)	X	X	X	X
The State assures reasonable efforts will be made to coordinate its state child welfare program with that of Louisiana-based Native American Tribal Organizations.	Section 422 (b) of the SSA 45 CFR 1357.16(d) P.L. 103-432	X	X		
The agency assures compliance with the Intergovernmental Review of Department program and activities which was designed to foster intergovernmental partnership and to strengthen Federalism.	45 CFR Part 100.12 and Executive Order 123-72 45 CFR 1355.30(m)	X	X		X
The plan will be amended whenever necessary to reflect new or revised federal statutes or regulations or material change in any phase of state law, organization, policy, or state agency operation.	45 CFR 1355.30(p)(1)	X	X		X
There is an approved cost allocation plan on file with the Department in accordance with the published regulatory provisions of the title IV-B of the Social Security Act.	45 CFR 205.15; 1355.30(c)	X			
In accordance with title VI of the Civil Rights Act of 1964, and its implementing regulation, the State assures that it will directly or through contractual or other arrangements, admit and treat all persons without regard to race, color or national origin in its provision of services and benefits, including assignments or transfers within the facility and referrals to or from the facility. Staff privileges are granted without regard to race, color, or national origin (where appropriate).	45CFR 1355.30(e)	X	X	X	X

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In accordance with Section 504 of the Rehabilitation Act of 1973, and its implementing regulation, the Agency also assures that it will not, directly or through contractual or other arrangements, discriminate on the basis of disability in admissions, access, treatment or employment.	45CFR 1355.30(g)	X	X	X	X
In accordance with the Age Discrimination Act of 1975 and its implementing regulation, the Agency will not, directly or through contractual or other arrangements, discriminate on the basis of age in the provision of services unless age is a factor necessary to the normal operation or achievement of any statutory objective.	45CFR 1355.30(h)	X	X	X	X
The Agency assures the maintenance of a judicial review system whereby there is a “judicial determination that continuation in the home would be contrary to the welfare of the child”. After October 1, 1983, there must also be a judicial determination that reasonable efforts have been made , (prior to placement of the child in foster care to prevent or eliminate the need for removal of the child from his home, and (b) to make it possible for the child to return to his home”. This provides for judicial scrutiny of the Child Welfare Agency’s efforts to keep families together.	45 CFR 1355.30(n)(3)	X			
Child and family services must be available on the basis of need for services and must not be denied on the basis of income or length of residence in the State.	45CFR 1357.10(b)	X	X		
Under State statute which imposes legal sanction, safeguards are provided that restrict the use or disclosure of the information concerning clients to purposes directly connected with the administration of the title IV-B plan.	45 CFR 205.50 1355.30(p)	X	X		
The Agency will meet the requirements of the Adoption and Foster Care Analysis and Reporting System (AFCARS) by implementing computerized data system to collect and report information relating to children in the State adoption and foster care programs and, transmit the data in the form and manner prescribed under the regulations.	Sections 442(b)(8) and 479(b)(2) of the SSA 45 CFR 1357.15(h)	X	X		
The Agency certifies that the State meets all requirements of the Required Protections for Foster Children as required by Section 202 of P.L.103-432	Section 422(b)(9) of the SSA. 45CFR 1355 and 1357.15(g)	X	X		

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The Agency acknowledges an understanding of the requirements for the general administration of a grant program.	45 CFR 1355.30(k)	X	X	X	X
The Agency acknowledges an understanding of the established procedure and time frames for actions brought before the Grant Appeals Board.	45CFR 1355.30(a)	X	X	X	X
The Agency acknowledges an understanding of the Department's authority to withhold payment or reduce Federal financial participation in the costs of Social Services and training.	45CFR 1355.30(n)(2)	X	X		
The Agency acknowledges an understanding of its ability to repay federal funds by installments.	45 CFR 1355.30(n)(5)	X	X	X	X
The Agency will provide opportunity for the Office of the Governor to review any new State plan and amendments and long range planning projections or other periodic reports except periodic statistical, budget or fiscal reports.	45 CFR 1355.30(o)	X	X		X
The Agency has an established procedure by which an individual claiming benefits is entitled to a fair hearing before designated representatives of the agency.	45 CFR 1355.30 (p)(2)	X	X		
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions or procedures for the reporting of known or suspected instances on child abuse and neglect.	Sections 106 (b)(2)(A)(i) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes procedures for the immediate screening, safety assessment, and prompt investigation of such reports.	Sections 106 (b)(2)(A)(ii) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	

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The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes procedures for immediate steps to be taken to ensure and protect the safety of the abuse or neglected child and of any other child under the same care who may also be in danger of abuse or neglect and ensuring his placement in a safe environment.	Sections 106 (b)(2)(A)(iii) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions for immunity from prosecution under state and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect.	Sections 106 (b)(2)(A)(iv) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	
The State has in effect or is enforcing a State law, or has in effect and is operating a statewide program that assures that, in administering and conducting service programs under this plan, the safety of the children to be served shall be of paramount concern.	Sections 422(b)(12), 432(a)(9) of SSA	X	X		

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<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including requirements ensuring that reports and records made and maintained pursuant to the purposes of this Act shall only be made available to :</p> <p>(a) individuals who are the subject of the report;</p> <p>(b) Federal, State, or local government entities, or any agent of such entities, having a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;</p> <p>(c) child abuse citizen review panels;</p> <p>(d) child fatality review panels;</p> <p>(e) a grand jury or court, upon a finding that information in the record is necessary for the determination of an issue before the court or grand jury; and</p> <p>(f) other entities or classes of individuals statutorily authorized by the State to receive such information pursuant to a legitimate State purpose.</p>	<p>Sections 106 (b) (2)(v)(I); 106 (b) (2)(v)(II); 106 (b) (2)(v)(III); 106 (b) (2)(v)(IV); 106 (b) (2)(v)(V); 106 (b) (2)(v)(VI); of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)</p>			X	
<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality.</p>	<p>Sections 106 (b)(2)(vi) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)</p>			X	
<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes the cooperation of State law enforcement officials, court of competent jurisdiction, and appropriate State agencies providing human services in the investigation, assessment, prosecution, and treatment of child abuse or neglect.</p>	<p>Sections 106 (b) (2)(iii) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)</p>			X	

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The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions requiring, and procedures in place that facilitate the prompt expungement of any records that are accessible to the general public or are used for purposes of employment or other background checks in cases determined to be unsubstantiated or false, except that nothing in this section shall prevent State child protective services agencies from keeping information on unsubstantiated reports in their casework files to assist in future risk and safety assessment.	Sections 106 (b)(2) (viii) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions and procedures requiring that every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem, who may be an attorney or a court appointed special advocate (or both), shall be appointed to represent the child in such proceedings: (a) to obtain first-hand, a clear understanding of the situation and needs of the child; and (b) to make recommendations to the court concerning the best interests of the child;	Sections 106 (b) (2)(ix)(I) and (b)(2)(ix)(II) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes the establishment of citizen review panels in accordance with Subsection 106(c).	Sections 106 (b)(2)(x) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions, procedure, and mechanisms to be effective not later than two years after the date of the enactment of this section (by 10/3/98): (a) for the expedited termination of parental rights in the case of any infant determined to be abandoned under State law; and (b) by which individuals who disagree with an official finding of abuse or neglect can appeal such finding.	Sections 106 (b) (2) (xi)(I)and (b) (2)(xi)(II) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)			X	

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<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes provisions, procedure, and mechanisms to be effective not later than two years after the date of the enactment of this section (by 10/3/98) that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction:</p> <p>(a) to have committed a murder (which would have been an offense under section 1111(a) of title 18, United State Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of such parent;</p> <p>(b) to have committed voluntary manslaughter (which would have been an offense under section 1111(a) of title 18, United State Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of such parent;</p> <p>(c) to have aided or abetted, attempted, conspired, or solicited to commit such murder or voluntary manslaughter; or</p> <p>(d) To have committed a felony assault that results in the serious bodily injury to the surviving child or another child of such parent;</p>	<p>Sections 106 (b)(2)(xii)(I); 106 (b) (2)(xii)(II); 106 (b) (2)(xii)(III); 106 (b) (2)(xii)(IV); and (d) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)</p>			X	
<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes an assurance that, upon the implementation by the State of the provisions, procedures, and mechanisms under the above assurance, conviction of any one of the felonies listed in the above assurance constitute grounds under State law for the termination of parental rights of the convicted parent as to the surviving children (although case-by-case determinations of whether or not to seek termination of parental rights shall be within the sole discretion of the State).</p>	<p>Sections 106 (b)(2)(xii) (c) and (d) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)</p>			X	

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<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes an assurance that the State has in place procedures for responding to the reporting of medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions), procedures or programs, or both (within the State child protective services system), to provide for :</p> <p>(a) coordination and consultation with individuals designed by and within appropriate health care facilities;</p> <p>(b) prompt notification by individuals designated by and within appropriate health-care facilities of cases of suspected medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions); and</p> <p>(c) authority, under State law, for the State child protective services system to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, as may be necessary to prevent the withholding of medically indicated treatment from disabled infants with life-threatening conditions.</p>	<p>Sections 106 (a), (b), (c) and (d) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq)</p>			X	
<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes an assurance or certification that the programs or projects relating to child abuse and neglect carried out under part B of title IV of the Social Security Act comply with the requirements set forth in paragraph (1) of section 106 and this paragraph.</p>	<p>Sections 106 (a), (b), (c) and (d) of the Child Abuse Prevention and Treatment Act as amended (42 U.S.C. 5101 et. Seq); 45 CFR 1357.20</p>			X	

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<p>The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes an assurance that the State:</p> <p>A. Since, June 17, 1980 has completed an inventory of all children who, before the inventory, had been in foster care under the responsibility of the State for 6 months or more, which determine -</p> <ol style="list-style-type: none"> 1. The appropriateness of, and the necessity for, the foster care placement; 2. Whether the child could or should be returned to the parents of the child or should be freed for adoption or other permanent placement; and 3. The services necessary to facilitate the return of the child or the placement of the child for adoption or legal guardianship; - <p>B. Is operating, to the satisfaction of the Secretary -</p> <ol style="list-style-type: none"> 1. A statewide information system from which can be readily determined the status demographic characteristics, location, and goals for the placement of every child who is (or, within the immediately preceding 12 months, has been) in foster care; 2. A case review system (as defined in section 475 (5) for each child receiving foster care under the supervision of the State; 3. A service program designed to help children - <ol style="list-style-type: none"> (a) where safe and appropriate, return to families from which they have been removed; or (b) be placed for adoption, with a legal guardian, or, if adoption or legal guardianship is determined not to be appropriate for a child, in some other planned, permanent living arrangement; and 4. A preplacement preventive services program designed to help children at risk of foster care placement remain safely with their families. 	<p>Sections 422, (b) 10 A - C of the Social Security Act</p>	<p>X</p>	<p>X</p>		

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The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes an assurance that the State has in place a plan which contains a description, developed after consultation with tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) in the State, of the specific measures taken by the State to comply with the Indian Child Welfare Act.	Section 422(b) 11 of the Social Security Act	X	X		
The State has in effect or is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect that includes an assurance that the State shall develop plans for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.	Section 422(b) (12) & 432 (a)(9) of the Social Security Act	X	X		